

VOTERS MAKE A SENATOR

Interesting Phases of the Experiment in Oregon.

(Advertiser Correspondence, Copyright by Frederic J. Haskin.)

The most conspicuous example of the change of the voters from the attitude of helping an aspirant to "get the nomination" to a determination to "make the nomination" themselves, is afforded by the recent success of Governor Chamberlain of Oregon, a Democrat, who was selected for United States senator at a general direct primary in a Republican state. In that case the party voters not only absolved their partisans in the legislature from loyalty to the chosen party candidate, but actually instructed the majority of the legislature to vote against its party candidate. The Oregon general primary for senator is in effect an extra-constitutional method of choosing senators by direct vote, and is not a party primary. Yet it is the direct outgrowth of the determination of the voters to take into their own hands the elective power. They learned how to do it in party primaries, and they have carried things a step farther toward matured democracy.

Oregon and Oklahoma are both experimenting with direct legislation by means of the initiative and referendum. Other states are not yet ready to take such radical departures from the representative form of government, but the increasing power of the direct nominating primary shows that the people generally are inclining in that direction. United States senators are nominated by party primaries in many states, and each biennium adds others to the list. The convention for nominating county officers is almost extinct, so generally has the primary election nominating system been applied to minor offices in rural districts.

Abuses of the powers of delegated conventions, the opportunity for corruption, and the dangers of dark horses—all had to do with the downfall of the convention in counties and cities. Even more potent than these was the constant danger to party organization from possible "bolts." A candidate who is defeated in a convention by intrigue is much more apt to bolt and head another ticket than is the candidate who has been defeated for the nomination by a majority of the voters of his party. The latter is a more convincing defeat.

The voters, finding their power in nominating minor officers, have gradually reached out until they now control congressional and state offices, in a majority of the states. The demand for direct primaries is so strong in others that the system bids fair to become universal within a decade. The next move of the direct primary advocates will be made on the national conventions.

The movement varies in the several states according to local conditions, of course. For sake of an example, take the case of Tennessee, which is just now midway between the convention and primary system. Two years ago M. K. Patterson, one of the Democratic aspirants for governor, demanded that the state committee order a primary. The convention forces won and no primary was held. But the aspirant who demanded the primary was nominated by the convention and was elected governor.

This year, former Senator Edward W. Carmack became a candidate for the Democratic nomination against Governor Patterson, and he demanded a direct primary. Practically all county and city nominations and all congressional

nominations in Tennessee are now made by primaries. Nearly all of the Democratic county committees joined in a request to the state committee to leave the contest for governor to a direct primary. But the state committee, friendly to Governor Patterson, declined to accede to these demands and instead, ordered a primary-convention plan. Under this scheme a general primary election is being held in Tennessee today. The two aspirants for governor will be voted for in each county, and the delegates to the nominating convention will be instructed to vote as unit for that candidate receiving a majority in the county.

Thus the electoral college plan is practically applied to the race. Senator Carmack has made the direct primary an issue in the campaign, and has declared that he will not accept the nomination unless he has a popular majority of the votes cast over the whole state. Governor Patterson defends the primary-convention plan and says that he will take the nomination if he has a majority of the delegates, even if his opponent has the majority of the popular vote. But as prohibition is the chief issue, the question of how Tennessee stands on the direct primary question may not be settled. The defeat of Governor Hoke Smith of Georgia by "Little Joe" Brown was reactionary in more ways than one, as it involved a protest against a direct primary which took away the balance of power from the smaller counties.

Kentucky has been one of the most conservative of states in its election laws, all voting having been done by the open viva voce method until 1891. The last of the states to adopt the secret ballot, Kentucky now bows to the reign of the direct primary. It has been the cause of many party feuds and factional fights, but it is now accepted as an institution.

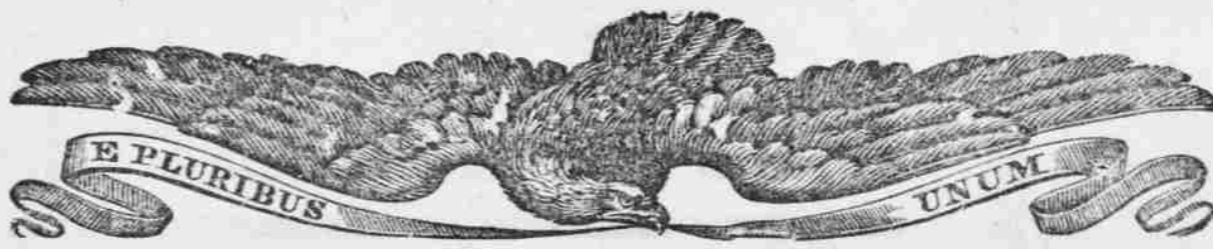
Whether or not the voters in a primary are wiser in their selection of candidates than delegates in convention, is an open question. But the effect of the primary on party government is undoubtedly for the better. Important as political organizations are to the business of government under our system, it was not until the primary asserted its power that the parties were given legal recognition.

The necessity of enacting laws to protect the primary elections and to prevent fraud has caused the legislatures of many states to enact laws which govern parties and methods of making nominations. This has prevented the "snap" nominations which were frequent in the old days when the only party laws were those promulgated by the party committee, and which could be changed at the will of that body.

If the present disposition of both parties to yield more and more to the direct primary continues, many great changes in American politics may be looked for. Suppose that in 1912 there is a demand upon the national committee of one or both of the great parties for a presidential primary. It will be refused, if precedent is followed. Then it may become an issue in the campaign, the defeat of a party candidate may be traced to his attitude on the question. Thus it is entirely possible that by 1916 there will be a general presidential primary.

It would be held, of course, on the plan of that being held today in Tennessee—the convention delegates from each state being bound by the majority of the votes cast in their several states. From this step it is not far to a direct primary of all the states. There is already sentiment to aid this development. The Republicans of the northern states object to delegations from southern states which never cast Republican electoral votes controlling Republican nominations. In the Democratic convention, Texas, with its solid majority, is always outvoted by Pennsylvania, which will never cast a Democratic electoral vote. The proposition to cut the southern representation in the Republican convention was defeated the other day by a very close margin and by the force of political necessity.

A direct presidential primary would knock the props from under the notion that the United States is a federated system of semi-sovereign states, per-



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haps. But it would be no more unconstitutional or extra-constitutional than the present method of electing presidents. It would add vastly to the trouble of conducting campaigns for the nomination, but the chief expense would be borne by the various state organizations.

What its effect would be upon men and issues is a matter of pure conjecture. But it is altogether likely that if a primary had been held this year, Foraker would have had more votes at Chicago than he did. An ultimate effect would be a renewal of the demand for election of the president by popular vote, and a revival of all the old questions of states rights in a form which would appeal to the popular appetite for controversy.

In the beginning, the Fathers gave as little power to the voters as possible. The only function the people can exercise under the Constitution in directing the affairs of the Federal government is to elect members of the House of Representatives. That is a body which is wholly renewed every two years. The Constitution holds as a check against that popular, and therefore "dangerous" element, the Senate, which is elected by the legislatures of the states and which is a perpetual and self-renewing body. In the executive branch, the Constitution vests all power in a president and vice-president chosen by electors "appointed" by the states. The judicial branch is totally removed from popular control, as the judges are appointed by the president for life. That was the theory by which the Federal government was to be conducted.

As a matter of fact, the people have elected the president from the first, choosing between nominees. In the first few elections some states chose electors by the legislatures, but the popular vote had become general in all the states, except South Carolina, by 1832. South Carolina's legislature appointed its electors until after the Civil War. The election of senators is being taken from the hands of the legislatures by the spread of the primary election system. The Federal judiciary is still beyond popular control, which fact, it must be admitted, does not add greatly to its popularity.

The tendency of the nation from the beginning has been toward a more directly democratic form of government. Whether this tendency will carry the people forward until the Federal republic of semi-sovereign units is displaced by a democratic state, the future alone can tell. Thus far many changes have been made in that direction, yet the letter of the Constitution still stands. These changes have been accomplished, and other changes will be accomplished, by the methods which the voters of the political parties choose to decide upon for "making the nomination."

"In your opinion," asked the member of the investigating committee, "what is the cause of the evident unrest among the Indians?" Comanche Pete, the noted scout, blew a cloud of smoke into the atmosphere. Then he took his pipe out of his mouth. "Fleas," he answered.—Chicago Tribune.

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